



United States
Department of
Agriculture

Food and
Nutrition
Service

Mountain
Plains
Region

1244 Speer Boulevard
Denver, CO 80204

Reply to
Attn. of:

SP 94-C-43

NOV 8 1993

Subject: Direct Certification—Additional Guidance

To: STATE AGENCY DIRECTORS - Colorado ED, Iowa, Kansas, Missouri ED,
(Special Nutrition Programs) Montana OPI, Nebraska ED, North Dakota,
South Dakota, Utah, Wyoming ED

1. Q.: May the verification requirement be waived in an SFA which establishes through direct certification that the number of eligible children is equal to, or greater than, the number of approved applications on file?

A.: Although eligibility determinations based on direct certification are themselves not subject to the verification requirement, there is no waiver on the verification requirement. The verification of eligibility provision requires the SFA to verify a minimum number of approved applications. A school must, therefore, continue to select the proper sample of applications and the current eligibility status of the selected households must be determined and documented. The size of the sample is based only on the number of approved applications and not on the total number of eligibility determinations.
2. Q.: How should SFA officials determine eligibility, at the beginning of the school year, if a household which is shown to be eligible on direct certification documentation also submits an application?

A.: Officials should determine eligibility based upon the direct certification information and discard the application. The application need only be used if there is reason to believe the child's eligibility is not accurately reflected in the direct certification material. In such cases, school officials should resolve the discrepancy prior to making an eligibility determination. Please note that the resolution of any such discrepancy may not be used to count toward meeting the number of applications that must be verified, since the former activity is part of the process of initial eligibility determination. If the household which is determined eligible through direct certification submits an application after the beginning of the school year, the school may assume that the household is providing notification of a change in circumstances and take appropriate action.

3 Q.: May an SFA share information regarding the eligibility of any child which has been established through direct certification procedures?

A.: Direct certification eligibility information must be kept confidential for use only in the administration of the meal or milk programs unless the child's household has specifically waived the right to confidentiality. This may be done only for the purposes, and under the guidelines, set out in the memorandum SP 94-C-44, Confidentiality of Free and Reduced Price Information, Section B., number 2, part b.

If you have any questions, please contact our office.

Ann C. Hector

ANN C. HECTOR
Regional Director
Special Nutrition Programs